

1 BILL NO. Z-82-03-12

2 ZONING MAP ORDINANCE NO. Z-*Wickham*

3 AN ORDINANCE amending the City of Fort
4 Wayne Zoning Map No. S-14.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
6 WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated a R-3 District under the terms of Chapter 33, The Code
9 of the City of Fort Wayne, Indiana of 1974:

10 Lot Numbered 3 in Clarmarnic Manor, an
11 Addition to the City of Fort Wayne, Indiana
12 being a Subdivision of the North 1251.5 feet
13 of the East half of the West half of the
South East 1/4 of Section 32, Township 31
North, Range 13 East, in Allen County, Indiana;

14 and the symbols of the City of Fort Wayne Zoning Map No. R-3,
15 referred to therein, established by Section 33-11 of said Chapter
16 are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be effective upon
18 passage and approval by the Mayor and legal publication thereof.

19 *Ray A. C. W.*
20 _____
21 COUNCILMAN

22 APPROVED AS TO FORM AND
23 LEGALITY March 19, 1982

24 *B. Boxberger*
25 _____
26 BRUCE O. BOXBERGER, CITY ATTORNEY
27
28
29
30
31
32

Read the first time in full and on motion by Eustach,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ M., E.S.T.

DATE: 3-23-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of _____
o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR. - MAYOR

BILL NO. Z-82-03-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No.

S-14

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE WITHDRAWN PASS.

BEN A. EISBART - CHAIRMAN

JANET G. BRADBURY - VICE CHAIRMAN

PAUL M. BURNS

JOHN NUCKOLS

ROY J. SCHOMBURG

6-8-82
DATE 6-8-82 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 7222

FT. WAYNE, IND., January 20 1982

RECEIVED FROM Michael C. Wilson Pastor \$ 50.00

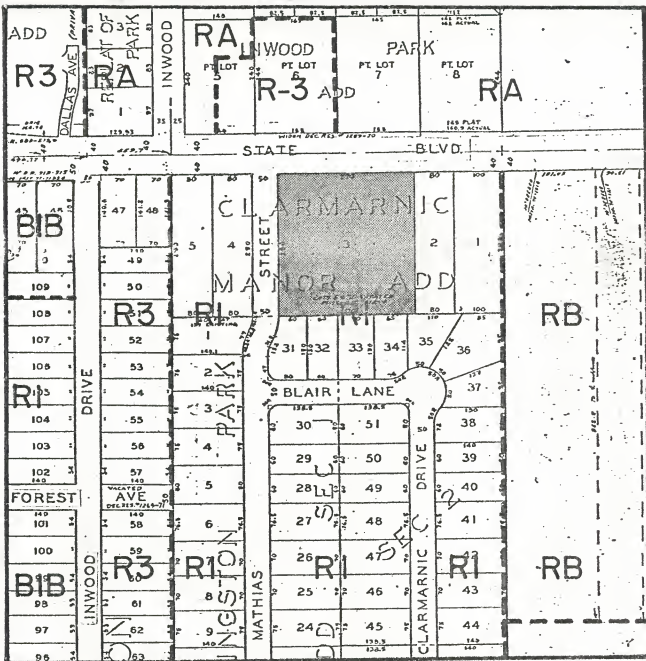
THE SUM OF Five Dollars 100. DOLLARS

ON ACCOUNT OF Paying request for Richard H. Parsons

R-1 to R-3

Larry Bantz

AUTHORIZED SIGNATURE



Z-82-03-12

MAP NO. S-14

BY G. R. LAX 3-2-82

THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

I/We RICHARD N. PASSINO

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

Lot Numbered 3 in Clarmarnic Manor, an Addition to the City of Fort Wayne, Indiana, being a Subdivision of the North 1251.5 feet of the East half of the West half of the South East 1/4 of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana;

(Legal Description) If additional space is needed, use reverse side.

4306 East State Boulevard, Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Richard N. Passino
(Name)

4555 Doenges Avenue
(Address)
Fort Wayne, Indiana

Richard N. Passino
(Signature)
Co-executor

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Paul B. McNellis
(Name)

2100 Fort Wayne Bank Bldg.
(Address & Zip Code)
Fort Wayne, IN 46802

422-3547
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

BONAHOOM, CHAPMAN, McNELLIS & MICHAELS

ATTORNEYS AT LAW

SUITE 2100

FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA 46802

OTTO M. BONAHOOM
HOWARD L. CHAPMAN
PAUL B. McNELLIS
PATRICK G. MICHAELS
CHARLES M. LOISER
GREGORY A. KAHRE
STEVEN R. SCHAFER

TELEPHONE
AREA CODE 219
422-3547
OF COUNSEL
BYRON F. NOVITSKY

May 26, 1982

Hon. Charles Westerman
Clerk, City of Fort Wayne
124 City-County Building
Fort Wayne, Indiana 46802

Re: Bill No. Z-82-03-12

Dear Charlie:

I represent the owners-petitioners on the above-captioned bill. I have been requested to withdraw this bill from submission to the County Council of the City of Fort Wayne. I therefore request that you take whatever action is appropriate to accomplish said withdrawal.

Thank you for your continuing cooperation.

Yours truly,

BONAHOOM, CHAPMAN, McNELLIS
& MICHAELS



Paul B. McNellis

McN:dd

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 23, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-03-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 19, 1982;

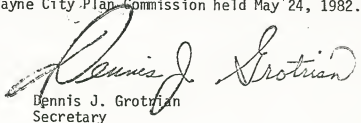
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation or a request for WITHDRAWAL by the petitioner based on the Commission's following "Findings of Fact":

- (1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for ther rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 24, 1982.

Certified and signed this
26th day of May 1982.


Dennis J. Grotrian
Secretary

May 26, 1982

Hon. Charles Westerman
Clerk, City of Fort Wayne
124 City-County Building
Fort Wayne, Indiana 46802

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Thank you for your continuing cooperation.

Yours truly,

BONAHOOM, CHAPMAN, McNELLIS
& MICHAELS

Paul B. McNellis

McN:dd


Members of the Common Council
26 May 1982

Page two

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

BONAHOOM, CHAPMAN, McNELLIS & MICHAELS

ATTORNEYS AT LAW

SUITE 2100

FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA 46802

TELEPHONE
AREA CODE 219
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OF COUNSEL
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Yours truly,

BONAHOOM, CHAPMAN, McNELLIS
& MICHAELS



Paul B. McNellis

McN:dd

TITLE OF ORDINANCE Zoning Ordinance Amendment*Withdrawn*
*3-82-03-120*DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Lot #3 in Clarmarnic Manor Addition more commonly known
as 4306 E. State Blvd.EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential. Property
will become R-3 - Multiple Family Residential.EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____